

THE HON'BLE MR. JUSTICE L. NARASIMHA REDDY

W.P.NO.23119 OF 2005

Dated 03-11-2005

Between:

SK Basha, Kurnool Distric

..petitioner

And

The Regional Manager, A.P.S.R.T.C.,

Kurnool District, and another

...Respondents

THE HON'BLE MR. JUSTICE L. NARASIMHA REDDY

W.P.NO.23119 OF 2005

ORDER:

The petitioner is a Driver in the A.P.S.R.T.C. On account of his experience and record, he has been drafted for Express Duties, for the past 20 years. The petitioner was also granted special grade increment in the year 1998, on account of such duties.

The grievance of the petitioner is that his name has been deleted from the list of Express Drivers in the Kurnool Depot, with effect from 17-10-2005.

Learned counsel for the petitioner submits that the respondents did not doubt the physical capability or efficiency of the petitioner, and there is absolutely no justification, for deletion of his name from the list. He contends that the conditions, stipulated in circular dated 25-02-2004, were issued for the purpose of identification of Drivers for long distance services. Learned Standing Counsel, on instructions, submits that a policy decision has been taken to delete the names of such of the Drivers, who have crossed the age of 55 years, from the list of long distance

services; in the interest of safety of the passengers. He contends that no detriment can be said to have been suffered by the petitioner.

It is true that the petitioner was drafted and identified as Driver for Long Distance Services, and he has been functioning for the last 20 years. The circular dated 25-02-2004 does not place any restriction as to age of such Drivers. However, if the respondents have taken a policy decision, not to entrust such duties to persons of a particular age, no exception can be taken to the same. The assignment of any other kind of duties does not entail any loss of emoluments. However, if any person above the age of 56 years is continued as Express Driver, the petitioner cannot be denied such a facility.

For the foregoing reasons, the writ petition is disposed of, directing that, in case any Express Driver, above the age of 55 years, is continued as such, the petitioner shall also be assigned similar duties, subject to his being found fit and eligible.

There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.03-11-2005.

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